



DEPARTMENT OF THE ARMY
HEADQUARTERS UNITED STATES ARMY GARRISON
453 NOVOSEL STREET
FORT RUCKER ALABAMA 36362-5105

REPLY TO
ATTENTION OF

IMSE-RCK-ZA

18 July 2006

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Impact and Implementation Negotiation (I & I)

1. This memorandum supersedes Memorandum dated 10 September 2003. The purpose of the memorandum is to remind managers at all levels of their obligation to negotiate the Impact and Implementation (I&I) of proposed changes in conditions of employment of bargaining unit employees. In many instances, managers do not intentionally fail to negotiate; they are simply unaware of the requirement. Simply put, management is obligated by law to explain to the exclusive representative (union) how a proposed change will be implemented and discuss any adverse consequences the change may have on members of the bargaining unit. This applies to a past policy or practice which has matured into a condition of employment.
2. If management proposes to change a condition of employment that impacts on bargaining unit employees, management must provide adequate prior notice to the union office. This notice must be sent directly to the union office. Upon request, management must bargain over the procedures to be utilized in implementing the changes and arrangements for employees who will be affected by those changes. The bargaining requirement does not prevent management from implementing the change. However, management must afford the union opportunity to present its views of the adverse impact the change may have prior to implementation of the change. Proposed changes should not be implemented until the duty to bargain has been satisfied.
3. Examples of changes in working conditions which may necessitate I & I negotiations are redesignation of individual parking spaces; changes in tours of duty; changes in location of break rooms; reorganization of offices and desks within a building; redesignation of flex-time hours; changes in locations of smoking areas; new requirements of additional training or testing; changes in types of office equipment (e.g. changing from word processors to computers); and procedures for submitting leave requests. This list is not all-inclusive. It is a sample of the types of issues, which are negotiable.
4. The procedure for initiating I & I negotiations is very simple. When a change in working conditions is contemplated, the supervisor should send a memorandum to the union involved and explain the proposed change. If the union requests negotiation, set a mutually agreeable date and time to negotiate. You should also require the union to respond with a request to negotiate within 10 working days, and inform the union that if it fails to make such a request within the time specified, management will consider them to have waived their right to negotiate. The American Federation of Government Employees, Local 1815, telephone 255-3460, building 5306, represents GS employees (and wage grade employees at ATTC only). Wage Grade employees are represented by the Wiregrass Metal Trades Council, telephone 255-9345, building

IMSE-RCK-ZA

SUBJECT: Impact and Implementation Negotiation (I & I)

3904, Laborers' International Union of North America, Local 784, telephone (205) 252-8005 represents Nonappropriated Fund employees.

5. Each commander/director has the responsibility of ensuring each of his/her subordinate supervisors are aware of this requirement and adhere to it. Failure to conduct I & I negotiations prior to implementing a change in work conditions constitutes an Unfair Labor Practice (ULP). ULP charges are filed against the Commanding General, not the offending supervisor/commander/director.

6. If you are in doubt whether a change should be negotiated call Ms. Margie Field, Labor Relations Specialist, Civilian Personnel Advisory Center, telephone 255-9297.


WILLIAM S. DARESE
Colonel, Aviation
Commanding

DISTRIBUTION:
A, B